

**SUPREME COURT MINUTES
WEDNESDAY, JULY 26, 2006
SAN FRANCISCO, CALIFORNIA**

S129110 B167907 Second Appellate District, Div. 4 **SAUERESSIG, ESTATE OF**
Rehearing denied.
Werdegar and Moreno, J.J., are of the opinion the petition should be granted.

S122744 H025674 Sixth Appellate District **PEOPLE v. SAUNDERS (DEVANCE)**
Opinion modified - no change in judgment.

S127602 A085450/A106431 First Appellate District, Div. 2 **PEOPLE v. JOHNSON (JAY S.)**
Request for modification denied.

S143999 B168730 Second Appellate District, Div. 2 **OLSON (CARL) v. AUTOMOBILE CLUB OF SOUTHERN CALIFORNIA**
Petition for review granted; issues limited (civil case)
Petition for review GRANTED. The issue to be briefed and argued is limited to the following: is a prevailing plaintiff who is awarded attorney's fees under the private attorney general statute (Civ. Code, § 1021.5) entitled to recover expert witness fees?
Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, J.J.

S144112 C050274/C05803 Third Appellate District **B. (LINO), IN RE**
Petition for review granted (criminal case)

S124195 C042944/C042948/C042947 Third Appellate District **CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT v. ALL PERSONS INTERESTED**

Supplemental briefing ordered.
The parties are directed to file simultaneous letter briefs on or before August 10, 2006, addressing the following issue: "Would excluding a school from entitlement to bond funding based on its inclusion of a religious viewpoint in its teaching of secular subjects violate the First Amendment's free speech guarantee? (See *Good News Club v. Milford Central School* (2001) 533 U.S. 98; *Locke v. Davey* (2004) 540 U.S. 712.)" Simultaneous reply briefs are due on or before August 17, 2006.

S143293 F048706 Fifth Appellate District **R. (MICHAEL), IN RE**
Review granted/briefing deferred (rule 29.1) - criminal case
Petition for review GRANTED. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Kelly*, S133114 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.
Votes: George, C.J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, J.J.

S143422 C045386 Third Appellate District**TOYS “R” US, INC. v. FRANCHISE
TAX BOARD**

Review granted/briefing deferred (rule 29.1) - civil case

Petition for review GRANTED. Further action in this matter is deferred pending consideration and disposition of a related issue in *Microsoft Corporation v. Franchise Tax Board*, S133343 and *General Motors Corporation v. Franchise Tax Board*, S127086 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, J.J.

S143771 B180113 Second Appellate District, Div. 8 **PEOPLE v. SANCHEZ (VICENTE)**

Review granted/briefing deferred (rule 29.1) - criminal case

Petition for review GRANTED. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Cage*, S127344 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, J.J.

S143777 A112669 First Appellate District, Div. 3**MCQUARTERS (ELTON) v. S.C.
(PEOPLE)**

Review granted/briefing deferred (rule 29.1) - criminal case

Petition for review GRANTED. Further action in this matter is deferred pending consideration and disposition of a related issue in *People v. Allen*, S141913 (see Cal. Rules of Court, rule 28.2(d)(2)), or pending further order of the court. Submission of additional briefing, pursuant to California Rules of Court, rule 29.1, is deferred pending further order of the court.

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, J.J.

S143631 A113535 First Appellate District, Div. 3**MORROW (JOSEPH E.) v. S.C.
(PEOPLE)**

Review granted; transferred to CA 1/3 to issue OSC

Petition for review GRANTED. The matter is transferred to the Court of Appeal, First Appellate District, Division Three, with directions to vacate its order denying mandate and to issue an order directing respondent Superior Court for the County of San Mateo to show cause, when the matter is placed on calendar, why the relief sought in the petitions should not be granted.

Votes: George, C.J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, J.J.

S144212 C052711 Third Appellate District**H. (DANTE) v. S.C. (PEOPLE)**

Review granted; transferred to CA 3 to issue alt. writ

Petition for review GRANTED. The matter is transferred to the Court of Appeal, Third Appellate District, with directions to vacate its order denying mandate and to issue an alternative writ to be heard before that court when the proceeding is ordered on calendar. Pending further order of the Court of Appeal, all proceedings in the Sacramento County Superior Court, petition number JV121436, entitled *In the Matter of Dante H.*, are hereby stayed.

Votes: George, C.J., Kennard, Chin, Moreno, and Corrigan, J.J.

S143379 B186929/B003359 Second Appellate District, Div. 4 **FRANSWAY (STEPHEN) ON H.C.**
Petition for review denied.

S143452 C046603 Third Appellate District **PEOPLE v. GARCIA (DANNY R.)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543U.S. 220, on California law.

S143537 D047804/D036487 Fourth Appellate District, Div. 1 **RODRIGUEZ (OSCAR) ON H.C.**
Petition for review denied.

S143571 A113723 First Appellate District, Div. 3 **CERNY (BRUCE A.) ON H.C.**
Petition for review denied.

S143581 A107821/A108061 First Appellate District, Div. 5 **PEOPLE v. SCHOBY (WILLIE)**
Petition for review denied.

S143589 C049802 Third Appellate District **PEOPLE v. WALLACE (CHARLES)**
Petition for review denied.

S143628 F050250 Fifth Appellate District **PULIDO (MARINA Y.) v. S.C. (PEOPLE)**
Petition for review denied.
Baxter, J., was recused and did not participate.

S143632 D045936 Fourth Appellate District, Div. 1 **PEOPLE v. ORANGE (EUGENE)**
Petition for review denied.

S143686 C047810 Third Appellate District **PEOPLE v. FAIRBANKS (MARY S.)**
Petition for review denied.

S143695 A113693 First Appellate District, Div. 4 **STINSON (EDWARD) ON H.C.**
Petition for review denied.

S143708 A113503 First Appellate District, Div. 2 **STEPHENSON (FRANK) ON H.C.**
Petition for review denied.

S143713 B174881 Second Appellate District, Div. 4 **PEOPLE v. LUNA (JOSE) et al.**
Petitions for review denied without prejudice to any relief to which defendants might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S143734 C048061 Third Appellate District **PEOPLE v. KAAKE (THEODORE)**
Petition for review denied.

S143745 G035072 Fourth Appellate District, Div. 3 **PEOPLE v. TIA (RODNEY F.)**
Petition for review denied.

S143756 B190593 Second Appellate District, Div. 3 **AMBULATORY SERVICES v. S.C. (DEPARTMENT OF INSURANCE)**
Petition for review denied.

S143773 F046412 Fifth Appellate District **PEOPLE v. RAUDA (MATTHEW V.)**
Petition for review denied.

S143775 A110864 First Appellate District, Div. 2 **MALATE (ELEANOR) et al. v. RUIZ (YOLANDA) et al.**
Petition for review denied.

S143792 A108527 First Appellate District, Div. 3 **PEOPLE v. GRAY (SAM D.)**
Petition for review denied.

S143803 A110977 First Appellate District, Div. 4 **CARELLA (PAUL) v. E-BAY, INC.**
Petition for review denied.
Application to appear as counsel pro hac vice granted.
Request for judicial notice granted.

S143806 G034767 Fourth Appellate District, Div. 3 **PEOPLE v. LEE (ROBERT E.)**
Petition for review denied.

S143809 D047951 Fourth Appellate District, Div. 1 **BOSCO (GIULIANA L.) ON H.C.**
Petition for review denied.

S143811 A113755 First Appellate District, Div. 4 **STINSON (EDWARD) ON H.C.**
Petition for review denied.

S143827	G034457 Fourth Appellate District, Div. 3	PEOPLE v. MORENO(JORGE G.)
Petition for review denied.		
S143866	H029079 Sixth Appellate District	PEOPLE v. CHAVEZ (ENRIQUE G.)
Petition for review denied.		
S143934	B171990 Second Appellate District, Div. 1	ROSENWASSER, ESTATE OF
Petition for review denied.		
S143976	A113866 First Appellate District, Div. 5	JAMERSON (LAFAYETTE) v. S.C.
Petition for review denied.		(WONG)
S143992	D045156 Fourth Appellate District, Div. 1	ALLEGRETTI & CO. v. COUNTY
Petition for review denied.		OF IMPERIAL
S143995	B182577 Second Appellate District, Div. 6	PEOPLE v. PRITCHARD
Petition for review denied.		(STEPHEN)
S143996	A113811 First Appellate District, Div. 3	MOUNTAIN CASCADE, INC. v.
Petition for review denied.		S.C. (EAST BAY MUNICIPAL
		UTILITY DISTRICT)
S144020	F048062 Fifth Appellate District	PEOPLE v. CALHOUN (JESSE)
Petition for review denied.		
Baxter, J., was recused and did not participate.		
S144148	B190823 Second Appellate District, Div. 6	GLENCOE v. S.C. (AMIDI PARTNERS)
Petition for review and application for stay denied.		
S144171	B178385 Second Appellate District, Div. 6	JONKEY (ERIC) v. CARIGNAN
Petition for review denied.		CONSTRUCTION CO. et al.
S144175	F049343 Fifth Appellate District	QUINTANILLA (RENE) ON H.C.
Petition for review denied.		

S144178	D048374 Fourth Appellate District, Div. 1	WALLACH (JOEL) ON H.C.
Petition for review denied.		
S144181	B182118 Second Appellate District, Div. 1	BROOKS (RHONDA) v. COUNTY OF LOS ANGELES
Petition for review denied.		
S144189	B182775 Second Appellate District, Div. 2	T. (JUAN), IN RE
Petition for review denied.		
S144190	A112959 First Appellate District, Div. 2	HARVIN v. W.C.A.B. (SAN FRANCISCO MUNICIPAL RAILWAY)
Petition for review denied.		
S144209	A110384 First Appellate District, Div. 2	WEST BAY BUILDERS, INC. v. STANDARD ELEVATOR CO., INC.
Petition for review denied.		
S144233	D048123 Fourth Appellate District, Div. 1	THOMPSON (TRAVIS R.) ON H.C.
Petition for review denied.		
S144247	C049231 Third Appellate District	HAYES (RYAN) v. CALIFORNIA DEPARTMENT (ALTA CALIFORNIA)
Petition for review & depublication request denied.		
S144251	A107378 First Appellate District, Div. 5	PEOPLE v. PERROT (SHAWN L.)
Petition for review denied		
S144254	F046951 Fifth Appellate District	WOLFGANG, MARRIAGE OF
Petition for review & publication request denied.		
S144260	F047152 Fifth Appellate District	PEOPLE v. FUENTES (ROBERT)
Petition for review denied.		
S144301	H030129 Sixth Appellate District	GERKIN (ROBERT E.) ON H.C.
Petition for review denied.		

S144312 E036498 Fourth Appellate District, Div. 2 **GREEN (RICHARD) v. HOME DEPOT**
Petition for review denied.
Chin and Corrigan, J.J., were recused and did not participate.

S144323 A110054 First Appellate District, Div. 2 **W. (MARGARET) v. R. (KELLY)**
Petition for review denied.

S144418 C046461 Third Appellate District **PEOPLE v. SIMMS (STEFFON T.)**
Petition for review denied.

S144420 B183385 Second Appellate District, Div. 2 **PEOPLE v. SIN (SCOTT S.)**
Petition for review denied.

S144423 E037781 Fourth Appellate District, Div. 2 **PEOPLE v. HAMPTON (ENOS J.)**
Petition for review denied.

S144424 C050648 Third Appellate District **PEOPLE v. YANG (KOUCEY)**
Petition for review denied.

S144425 C048981 Third Appellate District **PEOPLE v. THOMAS (JEFF L.)**
Petition for review denied.

S144431 F047491 Fifth Appellate District **PEOPLE v. TATE (VAN)**
Petition for review denied.

S144433 D047014 Fourth Appellate District, Div. 1 **T. (TONISHA), IN RE**
Petition for review denied.

S144437 B186276 Second Appellate District, Div. 3 **PEOPLE v. SANCHEZ (RAFAEL)**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S144439 B184256 Second Appellate District, Div. 7 **PEOPLE v. FINCH (MICHAEL)**
Petition for review denied.

S144450 B181373 Second Appellate District, Div. 5 **PEOPLE v. GUEVARA (RICARDO)**
Petition for review denied.

S144458 C048752 Third Appellate District **PEOPLE v. SMITH (FREE O.)**
Petition for review denied.

S144465 E037088 Fourth Appellate District, Div. 2 **PEOPLE v. ZIMMERMAN (RAYMOND)**
Petition for review denied.

S144466 B191486 Second Appellate District, Div. 8 **JONES (CHRISTOPHER) ON H.C.**
Petition for review denied.

S144469 A114014 First Appellate District, Div. 4 **ALLEN (DAVID O.) v. S.C. (PEOPLE)**
Petition for review denied.

S144476 B186465 Second Appellate District, Div. 3 **PEOPLE v. FORTENBERRY**
Petition for review denied.

S144482 C052548 Third Appellate District **NICKS v. W.C.A.B. (COMP USA)**
Petition for review denied.

S144484 A110732 First Appellate District, Div. 3 **W. (DEVASHAWN), IN RE**
Petition for review denied.

S144487 E036720 Fourth Appellate District, Div. 2 **BALTIERRA v. CORONA-NORCO**
Petition for review denied. **UNIFIED SCHOOL**

S144489 C049843 Third Appellate District **PEOPLE v. VAUGHN**
Petition for review denied.

S144496 C048321 Third Appellate District **PEOPLE v. KIRK**
Petition for review denied.

S144497 D046762 Fourth Appellate District, Div. 1 **PEOPLE v. BORJA**
Petition for review denied.

S144498	A112265 First Appellate District, Div. 2	FERREIRA & MURRAY, MARRIAGE OF
Petition for review denied.		
S144503	H027795 Sixth Appellate District	FLORES v. KENDALL
Petition for review denied.		
S144504	D047032 Fourth Appellate District, Div. 1	ATKERSON v. IMPERIAL IRRIGATION DISTRICT
Petition for review denied.		
S144508	C048444 Third Appellate District	PEOPLE v. XIONG
Petition for review denied.		
S144511	A113132 First Appellate District, Div. 2	FERREIRA AND MURRAY, MARRIAGE OF
Petition for review denied.		
S144517	E037097 Fourth Appellate District, Div. 2	PEOPLE v. OWENS
Petition for review denied.		
S144518	H028755 Sixth Appellate District	PEOPLE v. DAVENPORT
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in <i>Cunningham v. California</i> , No. 05-6551, the effect of <i>Blakely v. Washington</i> (2004) 542 U.S. 296 and <i>United States v. Booker</i> (2005) 543 U.S. 220, on California law.		
S144522	C048333 Third Appellate District	PEOPLE v. WADDAMS
Petition for review denied.		
S144542	B183429 Second Appellate District, Div. 6	PEOPLE v. SINGLETON
Petition for review denied.		
S144548	B181968 Second Appellate District, Div. 7	PEOPLE v. BRAIDO
Petition for review denied.		
S144549	B183837 Second Appellate District, Div. 5	M. (CARLOS), IN RE
Petition for review denied.		

S144551 G035610 Fourth Appellate District, Div. 3 **PEOPLE v. CAMPBELL**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S144554 F049307 Fifth Appellate District **PEOPLE v. HERNANDEZ**
Petition for review denied.

S144556 B184338 Second Appellate District, Div. 2 **PEOPLE v. TORRES**
Petition for review denied.

S144557 B186953 Second Appellate District, Div. 5 **PEOPLE v. ALFRED**
Petition for review denied.

S144558 B184715 Second Appellate District, Div. 5 **PEOPLE v. ROBINSON**
Petition for review denied.

S144559 F048000 Fifth Appellate District **PEOPLE v. REYNOLDS**
Petition for review denied.

S144561 B184446 Second Appellate District, Div. 7 **CONTINENTAL INSURANCE
COMPANY v. POMONA
REDEVELOPMENT AGENCY**

Petition for review denied.

S144563 B182601 Second Appellate District, Div. 7 **PEOPLE v. JENKINS**
Petition for review denied.

S144565 F047195 Fifth Appellate District **PEOPLE v. HURTADO**
Petition for review denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Cage*, S127344.

S144566 B183607 Second Appellate District, Div. 4 **MILLER v. KUMMER**
Petition for review denied.

S144570 B183259 Second Appellate District, Div. 6 **PEOPLE v. GUERRERO**
Petition for review denied.

S144578 B182772 Second Appellate District, Div. 7 **PEOPLE v. LUTON**
Petition for review denied.

S144579 F050010 Fifth Appellate District **WASHINGTON (RODERICK), IN RE**
 Petition for review denied.
 Baxter, J., was recused and did not participate.

S144580 D046625 Fourth Appellate District, Div. 1 **PEOPLE v. PANLAQUI**
Petition for review denied.

S144581 B182762 Second Appellate District, Div. 3 **PEOPLE v. MYERS**
Petition for review denied without prejudice to any relief to which defendant might be entitled after the United States Supreme Court determines in *Cunningham v. California*, No. 05-6551, the effect of *Blakely v. Washington* (2004) 542 U.S. 296 and *United States v. Booker* (2005) 543 U.S. 220, on California law.

S144589 E036613 Fourth Appellate District, Div. 2 **PEOPLE v. ALVAREZ**
Petition for review denied.

S144602 C048771 Third Appellate District **PEOPLE v. GORDON**
Petition for review denied.

S144678 G035306 Fourth Appellate District, Div. 3 **JONES v. LAW OFFICE OF JONATHAN WINTERS**

Petition for review and application for stay denied.

S132337 **BENITES (VICTOR) ON H.C.**
 Petition for writ of habeas corpus denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)

S137005 **SAHOTA (SUKHWINDER) ON H.C.**
 Petition for writ of habeas corpus denied.

S137006 Petition for writ of habeas corpus denied.	RAMIREZ (CLARENCE) ON H.C.
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S137078 **GONZALEZ (WILLIAM) ON H.C.**
Petition for writ of habeas corpus denied.

S137139

Petition for writ of habeas corpus denied.

GUTIERREZ (JUAN CARLOS) ON H.C.**S137194**

Petition for writ of habeas corpus denied.

VALDOVINOS (FELIX S.) ON H.C.**S137244**Petition for writ of habeas corpus is denied. (See *In re Wessley W.* (1981) 125 Cal.App.3d 240, 246.)**THOMAS (JACKSON) ON H.C.****S137299**

Petition for writ of habeas corpus denied.

ALLEN (TONY) ON H.C.**S137622**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**STEVENSON (ROBERT) ON H.C.****S137635**Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**THOMAS (JAMES L.) ON H.C.****S137678**

Petition for writ of habeas corpus denied.

BROWN-BEY (ERIC E.) ON H.C.**S137681**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**JACKSON (LAWRENCE) ON H.C.****S137682**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**PLUMP (RONALD HOWARD) ON H.C.****S137696**

Petition for writ of habeas corpus denied.

MAYFIELD (EDWARD) ON H.C.**S137714**

Petition for writ of habeas corpus denied.

RAYMUNDO (PIEDRA A.) ON H.C.

S137718**WELCH (THOMAS) ON H.C.**

Petition for writ of habeas corpus is DENIED. (See *In re Rosenkrantz* (2002) 29 Cal.4th 616; *In re Dannenberg* (2005) 34 Cal.4th 1061; *People v. Duvall* (1995) 9Cal.4th 464, 474; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S137724**BROWN (TYRELL T.) ON H.C.**

Petition for writ of habeas corpus denied.

S137741**SMITH (MICHAEL L.) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Lindley* (1947) 29 Cal.2d 709; *In re Waltreus* (1965) 62 Cal.2d 218; *In re Dixon* (1953) 41 Cal.2d 756; *In re Lessard* (1965) 62 Cal.2d 497, 503.)

S137772**ROCKERS (JAMES) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Rosenkrantz* (2002) 29 Cal.4th 616; *In re Dannenberg* (2005) 34 Cal.4th 1061.)

S137777**HARE (DAN) ON H.C.**

Petition for writ of habeas corpus denied.

S137792**CLARK (JAMES N.) ON H.C.**

Petition for writ of habeas corpus denied.

S137805**WHITE (GREGORY D.) ON H.C.**

Petition for writ of habeas corpus denied.

S137810**HOGUE (BRIAN) ON H.C.**

Petition for writ of habeas corpus denied.

S137919**SMITH (MICHAEL) ON H.C.**

Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Rosenkrantz* (2002) 29 Cal.4th 616, 658, 682-686; *In re Dannenberg* (2005) 34 Cal.4th 1061, 1084, 1097.)

S137965**TRAN (JASON L.) ON H.C.**

Petition for writ of habeas corpus denied.

S137982

Petition for writ of habeas corpus denied.

CALEGAN (DAVID E.) ON H.C.**S137987**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**NIETO (DANNY) ON H.C.****S137994**

Petition for writ of habeas corpus denied.

WILLIAMS (DARREN C.) ON H.C.**S137995**

Petition for writ of habeas corpus denied.

HERNANDEZ (CARLOS R.) ON H.C.**S137998**

Petition for writ of habeas corpus denied.

VINCENT (BRUCE) ON H.C.**S138010**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304.)**LOPEZ (DAVID) ON H.C.****S138026**

Petition for writ of habeas corpus denied.

RAY (PAUL) ON H.C.**S138031**

Petition for writ of habeas corpus denied.

VADEN (ERNEST) ON H.C.**S138033**

Petition for writ of habeas corpus denied.

RIVAS (SANTOS) ON H.C.**S138034**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**HENRY (FORREST LANE) ON H.C.****S138037**

Petition for writ of habeas corpus denied.

LEWIS (MILTON) ON H.C.**S138039**

Petition for writ of habeas corpus denied.

BROUGHTON (KENDELL) ON H.C.

S138064

Petition for writ of habeas corpus denied.

GORDON (JERMAINE) ON H.C.**S138082**Petition for writ of habeas corpus denied. (See *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**JONES (CHRISTOPHER) ON H.C.****S138089**

Petition for writ of habeas corpus denied.

HILL (RANCE) ON H.C.**S138092**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750.)**SMITH (JERRY) ON H.C.****S138093**

Petition for writ of habeas corpus denied.

ZANCHI (KENNETH) ON H.C.**S138095**

Petition for writ of habeas corpus denied.

MERCHANT (CURTIS H.) ON H.C.**S138096**

Petition for writ of habeas corpus denied.

BROWN (MELVIN) ON H.C.**S138097**

Petition for writ of habeas corpus denied.

BROOKS (ALFRED L.) ON H.C.**S138109**

Petition for writ of habeas corpus denied.

SOHAL (SINGH M.) ON H.C.**S138135**Petition for writ of habeas corpus denied. Petition for writ of habeas corpus is DENIED. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)**WILLIAMS (ROLAND R.) ON H.C.****S138139**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**BRANCH (WILLIAM I.) ON H.C.**

S138150**HEARNES (SAMUEL) ON H.C.**

Petition for writ of habeas corpus denied.

S138184**FIELDS (DEDREK L.) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S138217****LENG (KOY) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S138222****VARGAS (JOSE L.) ON H.C.**Petition for writ of habeas corpus denied.
Corrigan, J., was recused and did not participate.**S138242****ESCOBAR (ALFREDO) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Miller* (1941) 17 Cal.2d 734.)**S138244****YANEZ (RICARDO) ON H.C.**

Petition for writ of habeas corpus denied.

S138248**YOUNG (EARL K.) ON H.C.**

Petition for writ of habeas corpus denied.

S138249**TEVLIN (KELLY) ON H.C.**

Petition for writ of habeas corpus denied.

S138254**LAM (HUNG X.) ON H.C.**

Petition for writ of habeas corpus denied.

S138255**BAGSBY (WILLARD) ON H.C.**Petition for writ of habeas corpus denied. See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709.)**S138256****OLIVER (ERIC) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Dixon* (1953) 41 Cal.2d 756.)

S138257**GUTIERREZ (PEDRO) ON H.C.**

Petition for writ of habeas corpus denied.

S138261**PETTAWAY (UNDRAE) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S138262****ROBINSON (KEITH L.) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Wessley W.* (1981) 125 Cal.App.3d 240, 246; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S138264****PEREZ (JOSE C.) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S138301****NICHOLS (ALFRED R.) ON H.C.**

Petition for writ of habeas corpus denied.

S138305**WILLIAMS (ROLAND R.) ON H.C.**Petition for writ of habeas corpus is denied. (See *In re Clark* (1993) 5 Cal.4th 750.)**S138325****MAJOUBIAN (GARABET) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756.)**S138328****MCDONALD (BOBBY) ON H.C.**

Petition for writ of habeas corpus denied.

S138337**GRAY (MARVIN J.) ON H.C.**

Petition for writ of habeas corpus denied.

S138356**LYONS (DARYL L.) ON H.C.**

Petition for writ of habeas corpus denied.

S138358**ELLIOTT (CORTEZ) ON H.C.**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Waltreus* (1965) 62 Cal.2d 218.)

S138774

Petition for writ of habeas corpus denied.

JACKSON (DERWIN JULES) ON H.C.**S138850**

Petition for writ of habeas corpus denied.

KAO (CHUNG C.) ON H.C.**S138954**Petition for writ of habeas corpus denied. (See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* 1995) 9 Cal.4th 464, 474.)**JONES (CHRISTOPHER K.) ON H.C.****S139063**Petition for writ of habeas corpus denied. (See *In re Dexter* (1979) 25 Cal.3d 921.)**GUTIERREZ (JERRY) ON H.C.****S139535**

Petition for writ of habeas corpus denied.

MORRIS (TONY DONELL) ON H.C.**S142848**

Petition for writ of habeas corpus denied.

ROWN (TYRELL T.) ON H.C.**S143001**Petition for writ of habeas corpus denied. See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Miller* (1941) 17 Cal.2d 734.)**MARTY (LOUIE) ON H.C.****S143580**

The petition for writ of habeas corpus, filed May 22, 2006, is denied.

BRASURE (SPENCER R.) ON H.C.**S144667**Petition for writ of habeas corpus denied. (See *In re Clark* (1993) 5 Cal.4th 750.)**MARTY (LOUIE) ON H.C.****S144822**Petition for writ of habeas corpus denied. (See *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**STINSON (EDWARD) ON H.C.****S143285**G030347 Fourth Appellate District, Div. 3
Depublication request denied (case closed).**JONES v. GREGORY****S143415**C050077 Third Appellate District
Publication request denied (case closed).**TAYLOR v. BROWN**

S143566 D047539 Fourth Appellate District, Div. 1 **C. (PAUL), IN RE**
Publication request denied (case closed).

S143575 G035563 Fourth Appellate District, Div. 3 **PARK v. MOORE**
Publication request denied (case closed).

S143617 A111108 First Appellate District, Div. 5 **MAVROMATIS v. GERMAN**
Publication request denied (case closed).

S143747 G034342 Fourth Appellate District, Div. 3 **ODENCRANTZ v. DEPARTMENT
OF CONSUMER AFFAIRS**
Publication request denied (case closed).

S144185 B186923 Second Appellate District, Div. 4 **7-ELEVEN INC. v. DEPT OF ABC**
Publication request denied (case closed).

S144292 B184836 Second Appellate District, Div. 8 **M. (FERNANDO), IN RE**
Depublication request denied (case closed).

S144620 **PEOPLE v. BATTIN**
Publication request denied (case closed).

S128854 B159379 Second Appellate District, Div. 7 **PEOPLE v. VASQUEZ**
Time extended to consider modification or rehearing to October 6, 2006.

S144203 C052674 Third Appellate District **BRAZIL (DARLENE) ON H.C.**
Time extended to grant or deny review to September 8, 2006.

S144261 E040481 Fourth Appellate District, Div. 2 **SALKELD (DELORES) ON H.C.**
Time extended to grant or deny review to September 1, 2006.

S144304 B191134 Second Appellate District, Div. 3 **GRANT (AUBREY L.) ON H.C.**
Time extended to grant or deny review to September 12, 2006.

S144325 G034919 Fourth Appellate District, Div. 3 **ECCHER (GARY) ON H.C.**
Time extended to grant or deny review to September 13, 2006.

S144417 E040557 Fourth Appellate District, Div. 2 **PORTUNE (FRANK) ON H.C.**
Time extended to grant or deny review to September 12, 2006.

S015384 **PEOPLE v. LETNER & TOBIN**
Extension of time granted to September 26, 2006 to file appellant Letter's reply brief. Extension is granted based upon counsel R. Clayton Seaman, Jr.'s representation that he anticipates filing that brief by September 26, 2006. After that date, no further extension is contemplated.

S047868 **PEOPLE v. GEORGE (JOHNATON S.)**
Extension of time granted to September 19, 2006, to file respondent's brief.

S056364 **PEOPLE v. JONES (ALBERT)**
Extension of time granted to September 29, 2006, to file appellant's opening brief. After that date, only three further extensions totaling about 150 additional days will be granted. Extension is granted based upon Deputy State Public Defender Jessica K. McGuire's representation that she anticipates filing that brief by March 1, 2007.

S062180 **PEOPLE v. VALDEZ (RICHARD)**
Extension of time granted to September 29, 2006, to file appellant's opening brief. After that date, only one further extension totaling about 30 additional days is contemplated. Extension is granted based upon Deputy State Public Defender Raoul D. Schonemann's representation that he anticipates filing that brief by October 27, 2006.

S064733 **PEOPLE v. ABEL (JOHN C.)**
Extension of time granted to September 15, 2006, to file the appellant's opening brief. After that date, no further extension will be granted. Extension is granted based upon Deputy State Public Defender Kate Johnston's representation that she anticipates filing that brief by September 15, 2006.

S065233 **PEOPLE v. SMITH (FLOYD)**
Extension of time granted to October 3, 2006, to file the appellant's opening brief. After that date, only two further extensions totaling about 90 additional days will be granted. Extension is granted based upon Deputy State Public Defender Jamilla Moore's representation that she anticipates filing that brief by early January 2007.

S066939 **PEOPLE v. ALLEN & JOHNSON**
Extension of time granted to September 25, 2006, to file appellant Allen's reply brief. After that date, only two further extensions totaling about 90 additional days are contemplated. Extension is granted based upon counsel Brent F. Romney's representation that he anticipates filing that brief by December 22, 2006.

S066939

Extension of time granted to September 25, 2006, to file appellant Johnson's reply brief. After that date, only two further extensions totaling about 90 additional days are contemplated. Extension is granted based upon Assistant State Public Defender Andrew S. Love's representation that he anticipates filing that brief by December 22, 2006.

S073823**PEOPLE v. BUENROSTRO (DORA)**

Extension of time granted to October 3, 2006, to file the appellant's opening brief. After that date, only five further extensions totaling about 270 additional days will be granted. Extension is granted based upon Supervising Deputy State Public Defender Nina Rivkind representation that she anticipates filing that brief by June 27, 2007.

S074804**PEOPLE v. HARTSCH (CISCO)**

Extension of time granted to October 2, 2006, to file respondent's brief.

S075727**PEOPLE v. JOHNSON (CEDRIC J.)**

Extension of time granted to October 2, 2006 to file the appellant's opening brief. After that date, only three further extensions totaling about 150 additional days will be granted. Extension is granted based upon Senior Deputy State Public Defender Joseph E. Chabot's representation that he anticipates filing that brief by March 1, 2007.

S080054**PEOPLE v. LINTON (DANIEL A.)**

Extension of time granted to September 19, 2006, to file appellant's opening brief.

S080056**PEOPLE v. BELL (MICHAEL)**

Extension of time granted to September 12, 2006, to file appellant's opening brief.

S082828**PEOPLE v. THOMAS (CORRELL)**

Extension of time granted to September 18, 2006, to file appellant's opening brief.

S083594**PEOPLE v. TRUJEQUE (TOMMY A.)**

Extension of time granted to September 29, 2006, to file appellant's opening brief.

S107782**WELCH (DAVID E.) ON H.C.**

Extension of time granted to September 22, 2006, to file petitioner's reply to respondent's return to the order to show cause.

S136687**COOK (WALTER) ON H.C.**

Extension of time granted to September 18, 2006, to file the informal response to the petition of habeas corpus. After that date, only two further extensions totaling about 90 additional days are contemplated. Extension is granted based upon counsel Gary D. Sowards's representation that he anticipates filing that document by December 20, 2006.

S136826**NOGUERA (WILLIAM) ON H.C.**

Extension of time granted to August 14, 2006, to file the reply to informal response to the petition of habeas corpus. Extension is granted based upon counsel Robert R. Bryan's representation that he anticipates filing that document by August 14, 2006. After that date, no further extension is contemplated.

S137389**WILLIAMS (BOB) ON H.C.**

Extension of time granted to August 14, 2006, to file the informal response to the petition of habeas corpus. After that date, no further extension is contemplated. Extension is granted based upon counsel Charles M. Bonneau's representation that he anticipates filing that document by August 14, 2006.

S137392**TULK (JAMES) ON H.C.**

Extension of time granted to September 26, 2006, to file the reply to the informal response to the petition for writ of habeas corpus. After that date, only two further extensions totaling about 90 additional days are contemplated. Extension is granted based upon counsel Michael Laurence's representation that he anticipates filing that document by December 29, 2006.

S143981**KELLY (HORACE) ON H.C.**

Extension of time granted to September 5, 2006, to file the informal response. After that date, no further extension is contemplated. Extension is granted based upon Deputy Attorney General Lise S. Jacobson's representation that she anticipates filing that document by September 5, 2006.

S144949

E035739 Fourth Appellate District, Div. 2

BANDA v. BAGDASARIAN

Extension of time granted to August 14, 2006, for respondent to file the answer to petition for review.

S055652**PEOPLE v. FUIAVA (FREDDIE)**

Motion denied. The joint application of lead and associate appointed counsel, filed July 5, 2006, to withdraw as habeas corpus/executive clemency counsel of record on behalf of appellant Freddie Fuiava, is denied. (See Policy 2 ["Withdrawal of counsel"] of Supreme Ct. Policies Regarding Cases Arising From Judgments of Death.)

S122744

H025674 Sixth Appellate District

PEOPLE v. SAUNDERS

Order filed. Opinion Modified.

S134332

GUERRA (JOSE) ON H.C.

Order filed. Pursuant to petitioner's request filed on July 19, 2006, petitioner's exhibits, nos. 13, 18, 31, 32, 37, and 240 are ordered withdrawn.

S145330

962 SUSPENSION

Suspension for non-payment of family support ordered.

